Vito Genna Clerk of the Court U.S. Bankruptcy Court Southern District New York One Bowling Green New York, NY 10004-1408

April 3, 2018

RE: In re RESIDENTIAL CAPITAL, LLC, et al.

U.S. Bankruptcy Court Southern District New York, Case No: 12-12020



TO THE IMMEDIATE ATTENTION: Honorable Judge Martin Glenn

Sworn Declaration of Dana Brinton

In Support of Letter to Clerk and Doc. 10469

In Objection to (Doc 10482)

Filed by ResCap Liquidating Trust, Perkins Coie joined by LNV Corporation (Doc 10485)

I hereby state that I, Dana Brinton, declare that I am over the age of eighteen (18) years and have personal knowledge of the facts set forth in this letter/declaration, and if called as a witness, could and would competently testify to the facts set forth herein.

I live in the state of Pennsylvania. I too am fighting egregious fraud and fraud at origination involving Beal and the Beal entities which are directly related to Residential Funding Company and the numerous debtors in your Bankruptcy court. I am being defrauded of my home, equity and my dignity. I'm tied up in the mess of Beal Bank that also involves Bank of America, Residential Funding Company LLC, LNV and the Beal Entities including the purported servicer for LNV, MGC Mortgage Inc. (See Exhibit A — "Verification" dated 7/28/2009 and signed by Monica Hadley as Asst. Vice President of MGC and showing LNV Corporation as "Plaintiff" with MGC being "servicer.").

I too possess documentation that supports the claims of other parties, victims of D. Andrew Beal and ResCap, who are now giving notice to this honorable court that fraud has been and is being committed. I just learned about the notice and asked if I could be added. Although I haven't submitted all the documents because of the short time I had to prepare.

My mortgage originated with Provident consumer Financial Services in 1998 which later went out of Business in 2004. The servicing was taken over by Litton Loan Servicing LP aka Ocwen and then by LNV Corporation then Beal Bank and Beal's purported servicer MGC Mortgage.

I am a pedestrian hit by a car and was in a coma when all of the paperwork, servicing and the banks changed hands. I survived the accident and could not speak with traumatic brain injury and was

physically hurt and they thought permanently paralyzed in the accident and I was in a wheelchair. I am now talking and walking with the help of crutches.

You should know that I was NOT late with mortgage payments and was current on the mortgage when all of this went south. Coming out of coma I had an almost 11% interest rate with good credit. I asked for a loan modification and was told that I couldn't have one and was not eligible because I was **NOT late** on and was current, not missing any payments. I explained my situation and that 11% is too high of an interest rate and they told me that the only way to have a modification was to be late; behind on the mortgage and that I had to be behind for three months or ninety days. I told them that I didn't want to ever be late that it would hurt my credit and that I had an excellent credit.

I followed up with phone calls and letters they said the only way that they would do a loan modification was if I was late. Six months of worry and struggle later I did what they said for me to do and stopped paying the mortgage and they said "not to worry" they would get the loan documents right out to me. But they never came the first two or three weeks where very distressing on me and my family. I then started calling them every day for the documents which I never received from them, Scared and desperate for answers I stared calling every day for the next forty days (I have documentation of this). I was on hold and waiting most days for over an hour to two 1/2 hours being passed around and then waiting and waiting for someone to answer me. Their response was most always the same "Just Wait honey you are in the queue and you will get them shortly." (See Exhibit B – Letter dated October 14, 2105 showing I was trying to get a modification form MGC.)

Still following up and writing letters to them I still did not get the paperwork. Horrified and still calling them on the ninetieth day I was simply told that I couldn't have a loan modification that I was ninety days late with the mortgage and now because of that I was in default and was placed in foreclosure. I have been in foreclosure ever since, I owed \$132,000 on a \$450,000 mortgage. Every month they take more and more equity of my property. Until now I believe the latest figure is over \$365,000 which after QWR requests they won't send me; which is three times the original amount of the original loan.

Meanwhile in the sleepless nights and unbelievable stressful days of this 8 ½ year nightmare I am here and now attesting and confirming that I have reason to believe Beal is an insider and documents directly connected in Residential Funding Company LLC fka Residential Funding Corporation and the related entities and residential LLC and it's umbrella company's which encompass my documents which I believe documents pertaining to my case which is a calculated move on their part to take advantage of this when the market crashed and when the bottom fell out of the banks and the residential mortgage bank securities; resulting in numerous insurance payoffs that they profited from.

I have experienced tremendous abuse of process and even had an attorney named Cherie Robinson and Associates of Fort Washington Pa. who has been disbarred by the Pennsylvania Disciplinary Board. I paid her \$18,000: \$8,000 to her and the other \$10,000 to be held in an escrow account in good faith to show the bank that I had the funds to pay any arrears that were due. I never got my money and the PA disciplinary board interviewed me after several other families lost their houses in New York and in Pennsylvania because of the situation with this attorney. The PA disciplinary board has asked me to testify because the firm and Ms. Robinson went out of business never telling us, the homeowners who were from New York and the state of Pennsylvania. We also never got our paperwork or the files from our foreclosure cases back.

I have reason to believe D. Andrew Beal is a vulture funder on the foreign market who sells corporate Euro bonds and is tied to Residential Funding and uses illegal tax shelters and is a multibillionaire by using our funds and our houses to do it.

In my case Beal Bank has been using a fake address in Illinois (for the court in PA) for the last eight and half years. All the mail I've sent to this address: Beal Bank S.S.B, 1501 Woodfield Road, Schaumburg, IL 60173-4982 comes back to me as un-servable and undeliverable from the United States Post Office and Federal Express. The post office asked me to come in. They told me not to send any more mail to that address. They said if it was a real bank or servicer or business it would have a forwarding address. Have you ever known of a bank or servicer that doesn't know its own address and how would they get the deed to the property when it was mailed to them by the sheriff's office if nobody is at that address? See Exhibit C – Assignment of Bid with this address; also see Exhibit D – Affidavit of Marcia Swift who physically went to the address and spoke with the U.S. Postal Service and verified that Beal Bank is not and never has been located at that address. (Note this Affidavit was also filed into Fauley v. Mosman et al., Case 3:17-cv-01656-RJB, U.S. District Court Oregon, Portland Division where Perkins Coie was a Defendant.)

Even though this is not a valid address the law firm and Beal Bank keep using it and are currently using that address in a court for a deed in Pennsylvania; and to soon evict me. This is how Beal Bank is perpetuating the crime: by using a fake address and fake addresses in other states he doesn't have to register the tax that he is supposed to pay when it transfers to that state. In my case there is still \$150.000 in equity in my home (only family that I believe still has equity in the property) when he goes to sell it.

By the way Beal Bank is in Texas but he uses another state to try to sue you in. This is servicer, mortgage and bank fraud at its finest and D. Andrew Beal has been getting away with this for years. Beal and his numerous corporate entities are using the court system and judges for his tax evasion and the stealing of our houses. In the state of PA he put in a yet another company CLMG Corporation, his

commercial servicer according to a deposition of Sr. Vice President of MGC, Bret Maloney done in the Swift case. My house is strictly a residential property and he now trying to convert it and sign it over to commercial paper so he does not have to pay tax on it. In PA the person or bank that buys a house at foreclosure has be named on deed; but in my case it's not Beal Bank, its but being converted into commercial paper with CLMG.

I am still in my home but barely. I am not asking for a hand out but for a hand up so me and my family can get out of this nightmare and move on. I am disabled pedestrian hit by a car and survived only to get hit by this bus. I am asking and praying for help to put an end to the fraud and a stop to this nightmare and to the abuse of me and my family whom have endured irreparable harm and suffering; and to help the other victims of this mortgage fraud. Someone asked me where I am going to live and I told them I am not going to live; but I have to decide rather to die in the house or die in the streets as I have nowhere to go and no place to go to. If this was happening to your family what would you do?

I believe we should have appointment of a class counsel. Someone needs to investigate the corrupt relationship and transactions between the Beal entities and the ResCap Debtors. They should not keep getting away with crimes that destroy people's lives. They should not be able to use bankruptcy as a shield to do that.

I, Dana Brinton, declare under penalty of perjury under the laws of the State of Pennsylvania and New York that the foregoing is true and correct.

Thank you for listening.

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Respectfully Submitted,

Dated: April 3, 2018

EXHIBIT A

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VERIFICATION

I, Monica Hadley, as the representative of the Plaintiff corporation within named do hereby verify that I am authorized to and do make this verification on behalf of the Plaintiff corporation and the facts set forth in the foregoing Complaint are true and correct to the best of my knowledge, information and belief. I understand that false statements therein are made subject to the penalties of 18 Pa. C.S. 4904 relating to unsworn falsification to authorities.

Date: 7/4/09

2002/07/28 11:38:14

LNV Corporation

Monica Hadrey
Assistant Vice President, MGC Mortgage, Inc.,
as loan servicer for LNV Corporation and Authorized Representative

#83540FC - DANA BRINTON 731 Prince Street West Chester, PA 19382

EXHIBIT B



October 14, 2015

Dana Brinton 731 Price St West Chester PA 19382

RE: Loan Number: 1424123956

THIS DOCUMENT IS AN ATTEMPT TO COLLECT A DEBT, AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. IF YOU ARE IN BANKRUPTCY OR HAVE BEEN DISCHARGED IN BANKRUPTCY, THIS LETTER IS FOR INFORMATIONAL PURPOSES ONLY AND DOES NOT CONSTITUTE A DEMAND FOR PAYMENT IN VIOLATION OF THE AUTOMATIC STAY OR THE DISCHARGE INJUNCTION OR AN ATTEMPT TO RECOVER ALL OR ANY PORTION OF THE DEBT FROM YOU PERSONALLY.

Dear Dana Brinton :

Thank you for submitting a loss mitigation application. If we received your application package more than 37 calendar days before a scheduled foreclosure sale we will review your application, and determine if it is complete. You will be provided with an acknowledgment containing our assessment of completion shortly. If your application is complete, or is incomplete but completed within the time frame stated in the acknowledgment we will evaluate you for all available loss mitigation options.

Some loss mitigation programs, such as a loan modification, require us to order an appraisal. We may order an appraisal to determine the property's value and charge you for this appraisal. We will promptly give you a copy of any appraisal, even if your loan does not close. You can pay for an additional appraisal for your own use at your own cost. Please note that this constitutes no guarantee that you will be offered loss mitigation.

You may contact us at 1-866-397-5370 to discuss the contents of this letter.

Sincerely,

Loss Mitigation Department

QL811/KAM

EXHIBIT C

KML LAW GROUP, P.C.
SUITE 5000 BNY MELLON INDEPENDENCE CENTER
701 MARKET STREET.
PHILADELPHIA, PA 19106
(866) 413-2311
WWW.KMLLAWGROUP.COM.

BEAL BANK S.S.B. 1501 Woodfield Road Schaumburg, IL 60173-4982

Plaintiff

DANA BRINTON

Mortgagor(s) and Record Owner(s)

731 Price Street

West Chester, PA 19382

Defendant(s)

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IN THE COURT OF COMMON PLEAS

OF Chester COUNKY

CIVIL ACTION LAW

ACTION OF MORYGAGE FORECLOSURE

Docket Numbers 2010 10150-RC

Assignment of Bid

I, the undersigned, as attorney for the successful bldder, hereby assign my bid at the Sheriff Sale dated November 19, 2015 to:

BEAL BANK S.S.B. 1501 Woodfield Road Schaumburg, IL 60173-4982

Date: November 19, 2015

Ϊν.

KML LAW GROUP, P.C.

Michael McKeever Pa. ID 56129

Lisa Lee Pa. ID 78020

Kristina Murtha Pa. ID 61858

David Fein Pa. ID 82628

Thomas Pulco Pa. ID 27615

Jill P. Jenkins Pa. ID 306588

Victoria W. Chen Pa. ID 317741

Attorneys for Plaintiff

11453233 B: 9249 P: 1361 SHD

KML LAW GROUP, P.C. FAX (215) 627-7734 lienholder@kmllawgroup.com

July 7, 2014

TENANTS/OCCUPANTS 731 Price Street West Chester, PA 19382

RE: NOTICE OF SHERIFF'S SALE OF REAL PROPERTY

Owner/Defendant(s): DANA BRINTON

Property to be sold: 731 Price Street, West Chester, PA 19382

Date of Sale: Thursday, November 20, 2014

Place of Sale: Sheriff's Office, Courthouse, West Chester, PA

Time of Sale: 11:00 AM
Judgment Amount: \$203,590.17
Foreclosure Docket: 10-10150

Executing Creditor: BEAL BANK S.S.B.

Dear Lienholder,

Please be advised that this office represents the first mortgage* holder in an Action of Mortgage Foreclosure. The above property will be sold at Sheriff's Sale on the above date, time and location.

Research of the public records indicates that you are, or may be, a lien creditor on the property owned by the Defendants. Please be advised that the Sheriff's Sale may extinguish your lien against the property. You may wish to attend the sale to protect your interest if any.

A schedule of distribution will be filed by the Sheriff 30 days after the sale. Distribution of sale proceeds, if any, will be made by the Sheriff in accordance with the schedule, unless exceptions are filed to the schedule within 10 days of the filing of the schedule. If you have any questions regarding the type of lien or the effect of the Sheriff's Sale upon your lien, we urge you to CONTACT YOUR OWN ATTORNEY as we are not permitted to give you legal advice.

* - THE PROVIDENT BANK, D/B/A PCFS, INC., AN OHIO BANKING CORPORATION, 09/14/1998, Book 4418 Page 359

EXHIBIT D

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Dana Brinton 731 Price Street West Chester, PA 19382

Case; 2010-10150 CHESTER COUNTY COURT OF COMMON PLEAS, West Chester, PA Superior Court of Philadelphia, SOUTHEASTERN DISTRICT Case; 43 EDA 2016

AFFIDAVIT OF MARCIA SWIFT

I, Marcia Swift, 601 Sennett Street, Batavia, IL 60510 am of sound mind and being over the legal age of 18 being first duly sworn, state and affirm the following facts:

1. That on February 5, 2016 I drove to 1501 Woodfield Road, Schaumburg, IL 60173-4982 and walked the premises and all floors of the building complex and found no evidence of Beal Bank SSB (or any other Beal Bank entity) located in the building. I photographed the building directories and there is no listing of Beal Bank SSB (or any other Beal Bank entity).

(See A Hacked Exhibit of Photos.)

- 2. That on February 5, 2016 I drove to the Schaumburg Corporate Center located at 1501 Woodfield Road, Schaumburg, IL 60173-4982 After walking the complex, I verified with the building security desk that there physically was no Beal Bank SSB (or any other Beal Bank entity). I verified with building security that Beal Bank is not on the list of tenants in the building.
 - 3. Being that I have had a previous professional career as a large volume mailer and have worked very closely with many post offices and especially those in the 601 & 605 sectional areas of the post office since 1992 I knew that I could verify this information through the local post office that services zip code 60173. So, then on February 5, 2016 after my finding of the potentially bogus/counterfeit address, I drove to the Schaumburg Post Office located at 450 W. Schaumburg Road, Schaumburg, IL 60173 and spoke with supervisor Mike Reese to inquire about the 1501 Woodfield Rd, Schaumburg, IL 60173-

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4982 address. I was referred to the Carrier Route Supervisor Manny Whitley who would be in early the next morning.

- 4. That early the next morning on February 6, 2016 I called the Carrier Route Supervisor,
 Manny Whitley at 847-885-6502. I verified that there is no record of Beal Bank SSB at
 the 1501 Woodfield Road, Schaumburg, IL 60173-4982 address and that mail does come
 into the post office addressed to Beal Bank SSB and that the post office returns the mail
 to the sender. Carrier Route Supervisor Manny Whitely recommended and referred me
 or the party receiving documents regarding this address to contact the Postal Inspector for
 an investigation of fraud.
- 5. That on February 6, 2016 I also verified with United States Postal Service carrier route supervisor Manny Whitley that the mail that is delivered to the Schaumburg Corporate Center at 1501 Woodfield Road, Schaumburg, IL 60173-4982 must have a suite number in the address to be a deliverable address. I verified that the mail for the building complex is delivered to the lower level mailroom and requires a suite number to be delivered to the proper tenant in the building. That the use of the 1501 Woodfield Road, Schaumburg, IL 60173-4982 address alone (without a suite number) is not a deliverable address even if Beal Bank SSB was located in the building (which it is not).

Marcia Swift

6. If called to testify, I will testify to these facts.

WHEREFORE, affiant further sayeth naught.

Subscribed and swom to before me
This // day of February, 2016.

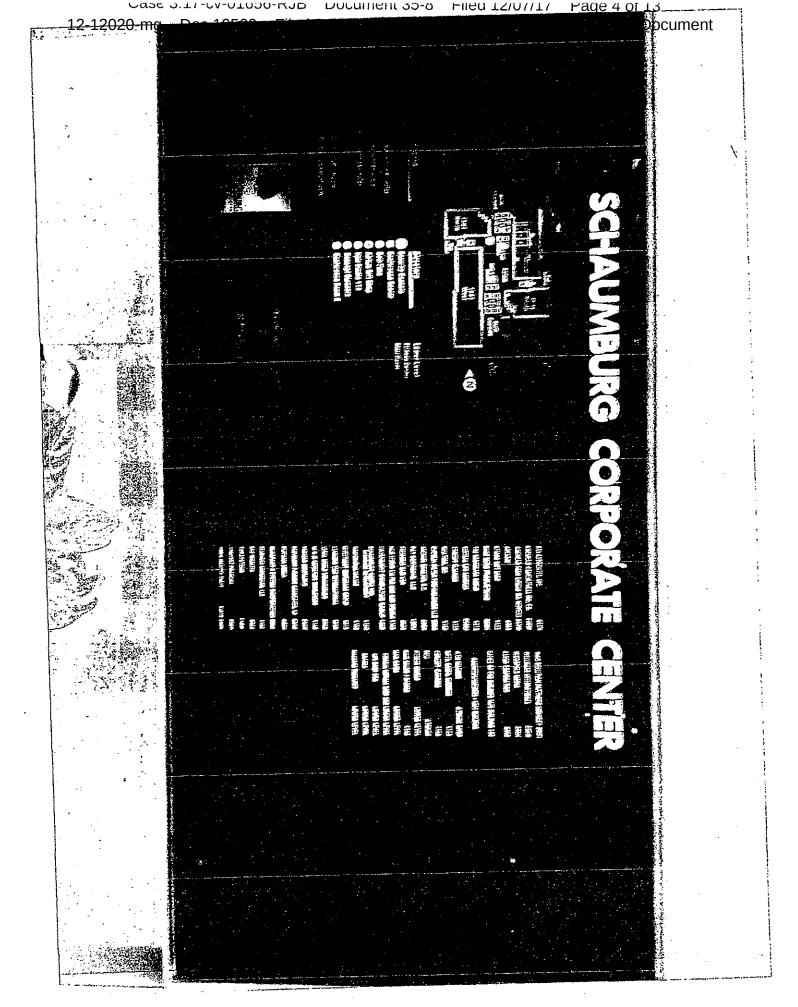
NOTARY PUBLIC

OFFICIAL SEAL

DANIEL M WEAVER

Notary Public - State of Illinois

My Commission Expires Jul 14, 2019



Case 3.17-CV-01000-RJB DOCUMENT 30-8 Filed 12/07/17 Page 5 01 13

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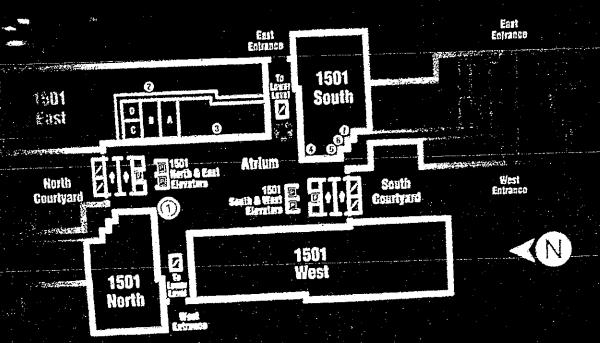
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- 2) Conference Center
- 3 Dell-Time
- 4 Atrium Elft Shop
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- 6 Concept Cleaners
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KML LAW GROUP, P.C.
SUITE 5000—BNY MELLON INDEPENDENCE GENTER
701 MARKET STREET
PHILADELCHIA, PA 19106
(866) 413-2311
WWW.NMLAWGROUP.COM

BEAL BANK S.S.B. 1501 Woodfield Road Schaumburg, JL 60173-4982

Plaintiff

DANA BRINTON
Mortgagor(s) and Record Owner(s)
731 Price Street
West Chester, PA 19382

Defendant(s)

IN THE COURT OF COMMON PLBAS

OF Chester COUNTY

CIVIL ACTION - LAW

ACTION OF MORTGAGE FORECLOSURE

Docket Number: 2010-10150-RC

Assignment of Bid

I, the undersigned, as afterney for the successful bidder, hereby assign my bid at the Sheriff Sale dated November 19, 2015 to:

BEAL BANK S.S.B. 1501 Woodfield Road Schaudburg, IL 60173-4982

Date: November 19, 2015

KML LAW GROUP, P.C.

Michael McKeever Pa. ID 56129

Lisa Lee Pa. ID 78020

Kristina Murtha Pa. ID 61858

David Fein Pa. ID 82628

Thomas Pulco Pa. ID 27615

Jill P. Jenkins Pa. ID 306588

Victoria W. Chen Pa. ID 317741

Attorneys for Plaintiff

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SS.

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF CHESTER

day of January , two thousand and fifteen 2016 (2015), personally appeared Carolyn B. Welsh, Sheriff of the County of Chester, known to me (or satisfactorily proven) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged that he/she/it executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Prothonotary

No. 10-10150

Deed = Poll

Carolyn B. Welsh, Sheriff

T.O

Beal Bank S.S.B.

The address of the Grantce is:

501 Woodfield Road

Schaumburg, IL 60173 Nucole E. Barron